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May 18, 2021

**VIA ECF ONLY**

Magistrate Judge Lois Bloom  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**RE: *Yaakov Y. Gross v. Trans Union, LLC***  
U.S. District Court, Eastern District of New York  
Case No. 1:21-cv-01329-DG-LB

Dear Judge Bloom:

Pursuant to Your Honor's Order on April 29, 2021, the parties submit this status report.

**Plaintiff:** The parties were unable to reach settlement and will require the Court to set discovery deadlines in the case. Before setting specific deadlines, Plaintiff would also like to advise the Court that he intends to proceed with a Motion for Remand as the Court lacks subject matter jurisdiction under EDNY case law.

**Trans Union:** Plaintiff has made a substantial monetary demand to Trans Union. Trans Union, as directed by Your Honor at the Initial Conference, sent Plaintiff a current disclosure showing that the subject account has been updated and requested that Plaintiff dismiss this matter. Plaintiff has refused to dismiss, and therefore forces Trans Union to file a Motion for Judgment on the Pleadings, as the doctrine of claim preclusion prevents Plaintiff from relitigating this claim after having received a final judgment on the merits of his FCRA claim when Judge Cogan granted Trans Union's previous Rule 12(b)(6) Motion To Dismiss. Trans Union is preparing a pre-motion letter directed to Judge Gujarati. As such, Trans Union does not believe a discovery schedule is necessary at this time.

Respectfully,

SCHUCKIT & ASSOCIATES, P.C.

/s/ Camille R. Nicodemus

*Counsel for Defendant Trans Union, LLC*

CRN/llj

cc: All counsel of record (via ECF)